

STATE OF INDIANA



INDIANA UTILITY REGULATORY COMMISSION
302 W. WASHINGTON STREET, SUITE E-306
INDIANAPOLIS, INDIANA 46204-2764

<http://www.state.in.us/iurc/>
Office: (317) 232-2701
Facsimile: (317) 232-6758

IN THE MATTER OF THE PETITION)
OF ELECTRICOM NETWORKS, LLC)
REQUESTING THAT THE INDIANA)
UTILITY REGULATORY COMMISSION (1))
GRANT PETITIONER A CERTIFICATE)
OF TERRITORIAL AUTHORITY TO)
PROVIDE FACILITIES-BASED NON-)
SWITCHED, DEDICATED TELECOMMUNI-)
CATIONS SERVICES WITHIN THE STATE)
OF INDIANA; (2) DECLINE TO EXERCISE)
ITS JURISDICTION IN WHOLE OR IN PART)
TO THE FULLEST EXTENT ALLOWED BY)
LAW, PURSUANT TO I.C. 8-1-2.6, OVER)
PETITIONER AND ITS PROPOSED TELE-)
COMMUNICATIONS SERVICES; (3))
APPROVE THE ENCUMBRANCE OF A)
PORTION OF PETITIONER'S WORKS AND)
SYSTEM PURSUANT TO I.C. 8-1-2-83(A);)
FOR CONSENT TO PETITIONER'S USE OF)
PUBLIC RIGHTS-OF-WAY FOR UTILITY)
PURPOSES; AND (5) GRANT PETITIONER)
SUCH OTHER RELIEF AS MAY BE)
APPROPRIATE)

FILED

SEP 04 2003

INDIANA UTILITY
REGULATORY COMMISSION

Cause No. 42492

BY THE COMMISSION:

Lorraine Hitz-Bradley, Administrative Law Judge

You are hereby notified that on this date the Indiana Utility Regulatory Commission ("Commission") has caused the following entry to be made:

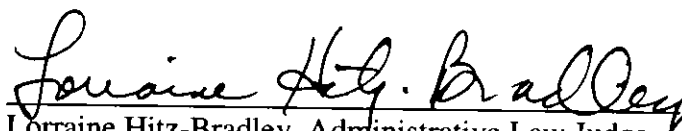
On June 19, 2003, Electricom Networks, LLC ("Petitioner") filed its Petition with the Indiana Utility Regulatory Commission ("Commission"), requesting that the Commission issue a Certificate of Territorial Authority to provide facilities-based non-switched telephone service throughout Indiana, to decline to exercise jurisdiction over Petitioner pursuant to I.C. 8-1-2.6-1 *et seq.*, and for consent to Petitioner's use of public rights-of-way for utility purposes.


The Presiding Officer in this Cause, having examined the Petition and being duly advised in the premises, hereby finds as follows:


The evidentiary hearing is scheduled for September 29, 2003. After reviewing the Petitioner's Petition and being duly advised in the premises, the presiding officer now finds that Petitioner should answer the following data requests by September 12, 2003:

1. Does Petitioner plan to market, either actively or otherwise, any excess fiber capacity that it has as a result of its contract with ISU?
2. How has Petitioner obtained access to right-of-way for the laying of cable for prior customers?
3. Does Petitioner currently own wireless equipment or facilities? If so, please state where and what type.
4. Does Petitioner have now, or is in the process of contracting for, a contract to provide lighted fiber to any entity?
5. Who is providing the electronics and the ability to light and send data over the cable that is the subject of this petition? In addition, is the same entity lighting the fiber also providing the electronics at both ends?
6. If ISU is lighting the fiber, are they being paid by the Sullivan County Schools for providing the data via the lighted fiber?

IT IS SO ORDERED.


Lorraine Hitz-Bradley, Administrative Law Judge


Date


Nancy E. Manley, Secretary to the Commission